

#3  
1613  
9-18-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Osamu JOHDO et al.

Serial No. 09/555,494

Filed June 1, 2000



:

:

:

:

Docket No. 2000-0694A

Group Art Unit 1613

RECEIVED  
SEP 1 2000  
TECH CENTER 1600/2800

CRYSTALLINE ANTHRACYCLINE ANTIBIOTIC  
AND PROCESS FOR PRODUCING THE SAME

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of (X) the references listed on the attached Form PTO-1449 and/or () the additional information identified below in paragraph 4. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for each reference previously cited by or submitted to the Patent Office in prior parent application Serial No. .

1. This Information Disclosure Statement is submitted:
  - a. ☒ (X) within 3 months of the filing date of the above-identified application, or  
☐ () within 3 months of entry into National stage prosecution of an International application, or ☐ () before the mailing date of the first Office Action on the merits, and thus:  
  
☒ (X) no certification and/or fee is required.
  - b. ☐ () after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus:  
  
☐ () the certification of paragraph 2 below is provided,  

or

☐ () a fee of \$240.00 is enclosed.

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY FEE DUE ON THIS  
FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 25-0975.

- c. ☐ after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus:
- ☐ the certification of paragraph 2 below is provided,
- ☐ and
- ☐ the Petition of paragraph 3 below is provided and \$130.00 fee therefor is enclosed.

2. It is hereby certified

- ☐ that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
- ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Petition under 37 CFR 1.97 for consideration of this Information Disclosure Statement is hereby made.

4. ☐ Consideration of the following additional information (including any co-pending or abandoned U.S. application, prior uses and/or sales, etc.) is requested:

5. ☐ For each non-English language reference listed on the attached Form PTO-1449:

- ☐ reference is made to an English language translation or abstract submitted herewith, and/or
- ☐ reference is made to a foreign patent office search report (in the English language) submitted herewith, and/or
- ☐ reference is made to an English language translation of a foreign patent office search report submitted herewith, and/or

- ☐ reference is made to the concise explanation contained in the specification of the present application at page(s) , and/or
- ☐ reference is made to the concise explanation set forth below:
6. ☐ Applicant also offers the following comments for the Examiner's consideration:
7. ☒ Also enclosed is a copy of the International Search Report citing these references.

Respectfully submitted,

Osamu JOHDO et al.

By Warren M. Cheek, Jr.  
Warren M. Cheek, Jr.  
Registration No. 33,367  
Attorney for Applicants

WMC/dlk  
Washington, D.C.  
Telephone (202) 721-8200  
August 28, 2000